

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY,

Plaintiff,

Case No. 2:16-cv-13040
District Judge Avern Cohn
Magistrate Judge Anthony P. Patti

v.

ELITE HEALTH CENTERS, INC.,
ELITE CHIROPRACTIC, P.C.,
ELITE REHABILITATION, INC.,
MIDWEST MEDICAL
ASSOCIATES, INC., PURE
REHABILITATION, INC., DEREK
L. BITTNER, D.C., P.C., MARK A.
RADOM, DEREK LAWRENCE
BITTNER, D.C., RYAN MATTHEW
LUKOWSKI, D.C., MICHAEL P.
DRAPLIN, D.C., NOEL H. UPFALL,
D.O., MARK J. JUSKA, M.D.,
SUPERIOR DIAGNOSTICS, INC.,
CHINTAN DESAI, M.D., MICHAEL
J. PALEY, M.D., DEARBORN
CENTER FOR PHYSICAL
THERAPY, L.L.C., MICHIGAN
CENTER FOR PHYSICAL
THERAPY, INC., and JAYSON
ROSETT

Defendants.

**ORDER REGARDING STATE FARM'S LETTER REQUEST TO FILE A
MOTION TO COMPEL THE DEPOSITION OF NON-PARTY CORY
MANN (DE 437) AND CORY MANN'S LETTER REQUEST TO FILE A**

**MOTION TO QUASH AND/OR PROTECTIVE ORDER REGARDING
DEPOSITION SUBPOENA ISSUED BY STATE FARM (DE 441)**

The Court has reviewed State Farm Mutual Automobile Insurance Company's ("State Farm") letter request to file a motion to compel the deposition of non-party Cory Mann ("Mann") (DE 437) and Mann's letter in response requesting to file a motion to quash and/or for protective order regarding the deposition subpoena issued by State Farm to him (DE 441). The Court will permit Mann to file a motion to quash and/or for protective order regarding the deposition subpoena issued by State Farm to him, which must be filed **by April 24, 2019**. State Farm may file a response to Mann's motion by **May 6, 2019**. Mann and State Farm may each make a 10-page submission (in total) in support of their respective positions. Mann's attorney must file his electronic appearance and make all future submissions electronically. E.D. Mich. LR 83.25. No reply brief will be permitted unless requested by the Court.

The Court will not accept a separate motion to compel Mann's deposition from State Farm, as it will be duplicative of the issues Mann would raise in his own motion. Failure by Mann to file the above-referenced motion to quash and/or for protective order will be considered a waiver of any objection to his deposition notice, in which event he will be required to appear for his deposition within 10 days of the waiver.

IT IS SO ORDERED.

Dated: April 17, 2019

s/ *Anthony P. Patti*

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on April 17, 2019, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti